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CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

FILED

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

September 2009 Grand Jury

EDCR 10-00049 VAP

UNITED STATES OF AMERICA,	)	ED CR No. 10-
	)	
Plaintiff,	)	<u>I N D I C T M E N T</u>
	)	
v.	)	[18 U.S.C. § 1015(a): False
	)	Statement Relating to
JORGE SOSA,	)	Naturalization; 18 U.S.C.
aka "Jorge Vinicio	)	§ 1425(a): Procurement of
Sosa Orantes,"	)	Citizenship or Naturalization
	)	Unlawfully]
Defendant.	)	
	)	
	)	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1015(a)]

A. INTRODUCTION

1. In or around 1982, the Guatemalan military maintained a special forces unit known as the "Kaibiles," who trained at a facility in La Polvora, El Peten, Guatemala, known as "the Kaibil School." In 1982, for a period of several months, the Kaibil School was closed as an instruction facility. During this time, the Kaibiles at the school engaged in activities designed to

1 locate, interrogate, and remove suspected guerrillas and  
2 suspected guerrilla sympathizers from the local population.

3 2. In or around November 1982, the Guatemalan guerrilla  
4 group known as "Fuerzas Armadas Revolucionarias" (Revolutionary  
5 Armed Forces) ambushed a Guatemalan military convoy near Las  
6 Cruces, Guatemala, killing soldiers and taking their rifles. In  
7 response, the Guatemalan military ordered a special patrol of  
8 approximately twenty Kaibiles from the Kaibil School to find the  
9 suspected guerrillas and recover the stolen weapons. The special  
10 patrol deployed to a small village near Las Cruces named Dos  
11 Erres. Defendant JORGE SOSA, also known as "Jorge Vinicio Sosa  
12 Orantes," was a commanding officer of this special patrol.

13 3. On or about December 7, 1982, the special patrol  
14 entered Dos Erres with the support of approximately forty  
15 additional Kaibiles, who created a security perimeter around the  
16 village so that no one could enter or escape. The members of the  
17 special patrol searched all the houses for the missing weapons,  
18 forced the villagers from their homes, and separated the women  
19 and children from the men.

20 4. Members of the special patrol interrogated villagers  
21 about guerrillas and the stolen rifles. During the course of  
22 these interrogations, the special patrol proceeded to  
23 systematically kill the men, women, and children at Dos Erres by,  
24 among other methods, hitting them in the head with a sledgehammer  
25 and throwing them into a well. Members of the special patrol  
26 also forcibly raped many of the women and girls at Dos Erres  
27 before killing them.

28 5. Defendant JORGE SOSA participated in the crimes

1 committed at Dos Erres, including but not limited to murder.

2 6. On or about March 18, 2008, having previously entered  
3 the United States, defendant JORGE SOSA applied to naturalize as  
4 a United States citizen. Specifically, defendant JORGE SOSA  
5 submitted an Application for Naturalization (Form N-400), which  
6 was processed by the San Bernardino Field Office of the United  
7 States Citizenship and Immigration Services ("USCIS"), located in  
8 San Bernardino, California. Defendant JORGE SOSA currently  
9 resides in Riverside County, California.

10 B. THE OFFENSE

11 7. On or about March 18, 2008, defendant JORGE SOSA  
12 appeared before a naturalization examiner at the San Bernardino  
13 Field Office of USCIS in San Bernardino, California, within the  
14 Central District of California, for an interview based on his  
15 Form N-400 Application, at which time he knowingly made false  
16 statements under oath in a matter relating to, under, and by  
17 virtue of any law of the United States relating to naturalization  
18 and citizenship; that is, defendant JORGE SOSA swore under oath  
19 to the answers he had made in the Form N-400, including:

20 (1) Part 10, Question (D)(15), that he had never committed  
21 any crime or offense for which he had not been  
22 arrested, when in truth and in fact, as he then well  
23 knew, he had committed crimes, including but not  
24 limited to murder at the village of Dos Erres;

25 (2) Part 10, Question (B)(8)(a), that he was not a member  
26 of or associated with any organization, association,  
27 fund, foundation, party, club, society, or similar  
28 group in the United States or in any other place, but

1 failed to list his membership in a foreign military in  
2 Part 10, Question (B)(8)(b), when in truth and in fact,  
3 as he then well knew, he had been a member of the  
4 Guatemalan Army; and

- 5 (3) Part 10, Question (D)(23), that he had never given  
6 false or misleading information to any U.S. government  
7 official while applying for any immigration benefit,  
8 when in truth and in fact, as he then well knew, that  
9 he had falsely denied any foreign military service in  
10 his Application to Register Permanent Residence or  
11 Adjust Status (Form I-485, Part 3(c)).  
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COUNT TWO

[18 U.S.C. § 1425(a)]

8. Paragraphs One through Seven of this Indictment are realleged and expressly incorporated herein as if set out in full.

9. On or about March 18, 2008, defendant JORGE SOSA submitted an Application for Naturalization (Form N-400), which was processed by the San Bernardino Field Office of the United States Citizenship and Immigration Services ("USCIS"), located in San Bernardino, California, within the Central District of California, wherein he affirmed under penalty of perjury that the answers therein were true and correct. In fact, defendant JORGE SOSA knowingly made a false material statement in the application to Question (D)(15) in Part 10 of the Form N-400, by stating that he had never committed any crime or offense for which he had not been arrested.

10. On or about March 18, 2008, defendant JORGE SOSA, in San Bernardino, California, within the Central District of California, appeared before a naturalization examiner for an interview based on his Form N-400 Application, at which time he swore under oath and affirmed under penalty of perjury the answers he had made in the Form N-400. Specifically, on Form N-400 at Part 10, Question (D)(15), and in his subsequent interview under oath, defendant JORGE SOSA falsely stated that he had never committed any crime or offense for which he had not been arrested, when in truth and in fact, as he then well knew, he had committed crimes, including but not limited to murder at the village of Dos Erres.

11. As a result of defendant JORGE SOSA's false statements on his N-400 application and to the naturalization examiner, defendant JORGE SOSA did, on or about September 26, 2008, in Los Angeles County, in the Central District of California, knowingly procure United States citizenship, contrary to law, by among other things, making false statements as prohibited by 18 U.S.C. § 1001(a) (False Statements), 18 U.S.C. § 1015(a) (Naturalization Fraud), and 18 U.S.C. § 1546(a) (Document Fraud); all in violation of Title 18, United States Code § 1425(a).

#### Revocation of Citizenship

12. Notice is hereby given that upon conviction of Count Two above, defendant JORGE SOSA's September 26, 2008 naturalization shall, by Court order, be revoked, set aside, and declared void, and defendant JORGE SOSA's certificate of

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1 naturalization shall, by the same order, be cancelled, pursuant  
2 to Title 8, United States Code, Section 1451(e).

3 A TRUE BILL

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6 Foreperson

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8 ANDRÉ BIROTTE JR.  
9 United States Attorney

10 LANNY A. BREUER  
11 Assistant Attorney General  
12 Criminal Division

13   
14 ROBERT E. DUGDALE  
15 Assistant Attorney General  
16 Chief, Criminal Division

17 DENNISE D. WILLETT  
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23 BRIAN D. SKARET  
24 Trial Attorney  
25 Criminal Division  
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28